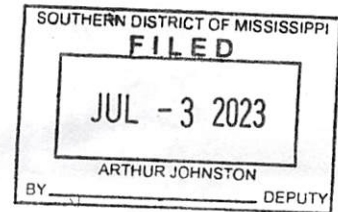


FORM TO BE USED BY PRISONERS IN FILING A COMPLAINT UNDER THE CIVIL RIGHTS ACT, 42 U.S.C. §1983

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI**

COMPLAINT



Heimbach

(Last Name) (Identification Number)

Jeremy

Charles

(First Name) (Middle Name)

Pike County Jail

(Institution)

2109 Jesse Hall Mem. Rd D Block Magnolia, MS 39652

(Address)

(Enter above the full name of the plaintiff, prisoner and address of plaintiff in this action)

V.

CIVIL ACTION NUMBER:

5:23cv66-DCB-FKB
(to be completed by the Court)

James Brumfield

Herbert Young

Richard Bynum

Valerie Wells

(Enter the full name of the defendant(s) in this action)

GENERAL INFORMATION

- A. At the time of the incident complained of in this complaint, were you incarcerated?
Yes (☒) No (☐)
- B. Are you presently incarcerated?
Yes (☒) No (☐)
- C. At the time of the incident complained of in this complaint, were you incarcerated because you had been convicted of a crime?
Yes (☐) No (☒)
- D. Are you presently incarcerated for a parole or probation violation?
Yes (☒) No (☐)
- E. At the time of the incident complained of in this complaint, were you an inmate of the Mississippi Department of Corrections (MDOC)?
Yes (☐) No (☒)
- F. Are you currently an inmate of the Mississippi Department of Corrections (MDOC)?
Yes (☐) No (☒)

PARTIES

(In item I below, place your name and prisoner number in the first blank and place your present address in the second blank.)

I. Name of plaintiff: Jeremy Heimbach Prisoner Number: _____

Address: 2109 Jesse Hall Mem. Rd

D Block

Magnolia, MS 39652

(In item II below, place the full name of the defendant in the first blank, his official position in the second blank, and his place of employment in the third blank. Use the space below item II for the names, positions and places of employment of any additional defendants.)

II. Defendant: James Brumfield is employed as Sheriff

at Pike County MS

The plaintiff is responsible for providing his/her address and in the event of a change of address, the new address of plaintiff as well as the name(s) and address(es) of each defendant(s). Therefore, the plaintiff is required to complete the portion below:

PLAINTIFF:**NAME:**Jeremy Heimbach**ADDRESS:**2109 Jesse Hall Mem. Rd D Block Magnolia, MS 39652**DEFENDANT(S):****NAME:**James Brumfield**ADDRESS:**2109 Jesse Hall Mem. Rd Magnolia, MS 39652Herbert Young2109 Jesse Hall Mem. Rd Magnolia, MS 39652Richard Bynam2109 Jesse Hall Mem. Rd Magnolia, MS 39652Valerie Wells2109 Jesse Hall Mem. Rd Magnolia, MS 39652

OTHER LAWSUITS FILED BY PLAINTIFF

NOTICE AND WARNING

The plaintiff must fully complete the following questions. Failure to do so may result in your case being dismissed.

- A. Have you ever filed any lawsuits in a court of the United States? Yes () No (☒)
- B. If your answer to A is yes, complete the following information for each and every civil action and appeal filed by you. (If there is more than one action, complete the following information for the additional actions on the reverse of this page or additional sheets of paper.)

CASE NUMBER 1.

1. Parties to the action: _____

2. Court (if federal court, name the district; if state court, name the county): _____

3. Docket Number: _____
4. Name of judge to whom case was assigned: _____
5. Disposition (for example: was the case dismissed? If so, what grounds? Was it appealed? Is it still pending?) _____

CASE NUMBER 2.

1. Parties to the action: _____

2. Court (if federal court, name the district; if state court, name the county): _____

3. Docket Number: _____
4. Name of judge to whom case was assigned: _____
5. Disposition (for example: was the case dismissed? If so, what grounds? Was it appealed? Is it still pending?) _____

- III. State here as briefly as possible the facts of your case. Describe how each defendant is involved. Also, include the names of other persons involved, dates and places. Do not give any legal arguments or cite any cases or statutes. If you intend to allege a number of different claims, number and set forth each claim in a separate paragraph. (Use as much space as you need; attach extra sheet(s) if necessary).
- As Sheriff James Brumfield is responsible for the jail, its employees, inmates and its upkeep. Herbert Young and Richard Bynam ~~and Sheriff Young~~ as warden and Captain are responsible for the day-to-day running of the jail, its employees, and its upkeep and inmates. Valerie Wells, allegedly a nurse, is responsible for medical treatment of inmates. 1.) Jail is overcrowded to the point where most people have to sleep on the floor, this means there is no personal space and illness is spread around multiple times (cont'd)

RELIEF

- IV. State what relief you seek from the court. Make no legal arguments. Cite no cases or statutes.
- Actual and punitive damages. Oversight to correct and prevent these issues for others.

Signed this 29 day of June, 20 23.

I declare (or certify, verify or state) under penalty of perjury that the foregoing is true and correct.

Jeremy Weinbach
Signature of plaintiff

(cont'd)

- 2.) Lack of Supplies necessary for personal hygiene - Often there is no tissue, toothpaste, toothbrushes, or soap. It is humiliating to have to beg for these basic items the "nurse" or whomever is responsible for ordering them continually fail to do.
- 3.) Nutritionally adequate food - The food portions are too small to meet required calorie intake and the food is often served cold or spoiled/near spoiled.
- 4.) Lack of medical treatment/poor medical care - I have seizures and have been unable at times to get medical treatment due to lack of ways to call for help. My request to see a dentist have been ignored.
- 5.) Failure to protect inmates - MDOC inmates are housed with County inmates, no guards are ever in the tower to watch for fights or injured inmates.
- 6.) Substandard Shelter - inmates sleeping on the floor with thin pieces of mats are constantly breathing in dust.
- 7.) Unsafe building conditions - There is black mold in the showers and vents as well a dust, this bad to breathe in and be exposed to. There is exposed wiring which is a danger because some of it is live. Sanitation is provided maybe once a week which leads to bug infestations.
- 8.) Lack of opportunity for physical exercise - We do not get regular chances to go to the yard so limited access to fresh air and sunshine.
- 9.) Inadequate access to Courts or Law library - There is no case manager so people are just sit back here with no way to resolve their cases until the Courts can accommodate them.